



Docket No.: 205266US2SRD

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

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RE: Application Serial No.: 09/818,612

Applicants: Hideki KOBAYASHI

Filing Date: March 28, 2001

For: METHOD AND APPARATUS FOR AIDING
PRODUCT LIFE CYCLE PLANNING AND
COMPUTER PROGRAM PRODUCT THEREFOR

Group Art Unit: 3623

Examiner: COLON, CATHERINE

SIR:

Attached hereto for filing are the following papers:

PROVISIONAL ELECTION

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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DOCKET NO: 205266US



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
HIDEKI KOBAYASHI : EXAMINER: COLON, CATHERINE
SERIAL NO: 09/818,612 :
FILED: MARCH 28, 2001 : GROUP ART UNIT: 3623
FOR: METHOD AND APPARATUS FOR :
AIDING PRODUCT LIFE CYCLE
PLANNING AND COMPUTER
PROGRAM PRODUCT THEREFOR

PROVISIONAL ELECTION

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the election requirement dated March 10, 2005, Applicant provisionally elects with traverse Invention IV, Claims 5-7, 13-15 and 18, drawn to determining the cost ratio of parts to a whole product and the environmental load ratio, classified in class 705, subclass 7, for further examination on the merits. Applicants reserve the right to file one or more divisional applications directed to the non-elected invention.

Furthermore, while the Election Requirement asserts that the application contains claims to patentably distinct inventions, MPEP § 803 states the following:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

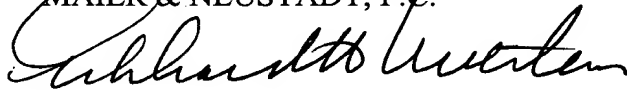
Although the outstanding Official Action identifies different search classifications, it is believed that the claims of the present application would have to be searched in a handful of sub-classes. Furthermore, since electronic searching is commonly performed, a search may

be made of a large number of, or theoretically all, subclasses without substantial additional effort. Accordingly, Applicants respectfully traverse the Restriction Requirement on the grounds that a search and examination of the entire application would not place a *serious* burden on the Examiner, whereas it would be a serious burden on Applicants to prosecute and maintain separate applications.

Therefore, it is respectfully requested that the requirement to elect a single group be withdrawn, and that a full examination on the merits of Claims 1-25 be conducted.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



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